

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

**v.**

**PAULA AMBER CHISHOLM,**

*Defendant.*

**Case No. CR 21-194-RAW**

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**PROPOSED VOIR DIRE FOR THE UNITED STATES**

COMES NOW the United States of America, by and through Christopher J. Wilson, United States Attorney for the Eastern District of Oklahoma, and Morgan Muzljakovich, Assistant United States Attorney, and respectfully submits its suggested voir dire to be utilized in the jury selection in this case. Except as indicated below, the following list of questions generally does not include follow-up questions, and it assumes that the parties will have been furnished with the name, address, age, and occupation of each prospective juror. The United States respectfully reserves the right to submit additional questions prior to trial.

**Introductions<sup>1</sup>**

1. Do any of you know the defendant?
2. Have any of you heard or read anything about this case and the allegations against the defendant?
3. Counsel for the United States is Morgan Muzljakovich. The following individuals are the United States' proposed witnesses: [read list].

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<sup>1</sup> Most of the questions in the Introductions, General Questions, and Conclusion sections are based on *Benchbook for U.S. District Court Judges*, 2.06 Standard voir dire questions—criminal, pp. 89-91 (6th ed. March 2013).

- a. Do any of you know attorney Morgan Muzljakovich? Have you had any business dealings with her? Have you been represented by her? Have you had any other similar relationship or business connection with her?
  - b. Do any of you know any of the individuals that the United States proposes to call as witnesses? Have you had any business dealings with them? Have you had any other similar relationship or business connection with him?
- 4. Counsel for the defendant is Sarah Erlinder. The following individuals are the defendant's list of possible witnesses: [read list].
  - a. Do any of you know attorney Sarah Erlinder? Have you had any business dealings with him? Have you been represented by him? Have you had any other similar relationship or business connection with him?
  - b. Do any of you know any of the individuals that the defendant may call as witnesses? Have you had any business dealings with them? Have you had any other similar relationship or business connection with him?

#### **General Questions**

- 5. Have you ever served as a juror in a criminal or civil case or as a member of a grand jury in either a federal or state court?
  - a. [If yes] What type of case/jury?
  - b. [If criminal case] Did the jury reach a unanimous verdict?
- 6. Have you, any member of your family, or a close friend ever been employed by a law enforcement agency?
- 7. Have you, any member of your family, or a close friend had an unpleasant experience or dispute with law enforcement personnel or with a government agency?
- 8. Is there any member of the jury panel who would not believe the sworn testimony of a police officer or federal agent merely because he or she was such an officer or agent?
- 9. If you answer yes to any of the following four questions, or if you do not understand the questions, please come forward and be prepared to discuss your answer with the court and counsel at the bench.
  - a. Have you, a family member, or a close friend ever been charged with a state or federal crime?
  - b. Have you a family member, or a close friend ever been investigated or accused, of a state or federal crime?

- c. Have you, a family member, or a close friend ever been the victim of a crime?
- d. Have you, a family member, or a close friend ever testified as a witness, in any court, in a criminal matter?

### **Case-Specific Questions**

- 10. Do you have children or grandchildren? If so, what are their ages?
- 11. If you answer yes to this question or the next question, or if you do not understand the questions, please come forward and be prepared to discuss your answer with the court and counsel at the bench.
  - a. In this case, the defendant is charged with Child Abuse and Child Neglect in Indian Country. Has any member of the panel been the victim of physical abuse or neglect whether as a child or an adult, or had any close friends or family members who were the victims of abuse?
    - i. If yes, can you describe the circumstances?
    - ii. Was there a police or social service investigation?
    - iii. Was the matter ever resolved?
    - iv. Do you believe that the person was treated fairly and that the matter was resolved to your satisfaction?
  - b. Has any member of the panel been accused of physical abuse or neglect or any other type of abuse, or had any close friends or family members who were accused of those acts?
    - i. If yes, did you believe that it was a false allegation?
    - ii. Can you describe the circumstances?
    - iii. Was there a police or social service investigation?
    - iv. Was the matter ever resolved?
    - v. Do you believe that the person was treated fairly and that the matter was resolved to your satisfaction?
- 12. Based upon the nature of the charge against the defendant, I anticipate that during this trial you will be asked to listen to certain evidence that may describe acts and may be disturbing. Is there any member of the panel who believes that he or she cannot or will not be able to hear the evidence that is presented?
- 13. In the criminal justice system, jurors can sometimes be presented with disturbing facts and disturbing evidence. Although facts or evidence might be potentially disturbing, do you understand and agree that both the Government and the Defendant are entitled to have jurors who will fairly and impartially review all of the evidence that is presented during the course of the trial?

## Conclusion

14. Do you understand and agree that although being a juror may involve reviewing disturbing facts and evidence, it is an important job that is essential to our system of justice?
15. Does any member of the jury panel hold any beliefs that would prohibit or make it difficult for you to serve on the jury and act as the judge of the facts in this case?
16. Do you hold any opinions, religious beliefs, philosophies, or prejudices which would make you unable to reach a verdict in this case?
  - a. For example, do you believe that no person should ever be judged or convicted, regardless of the strength of the evidence?
  - b. For example, do you believe that a person is guilty simply because they are here in court?
17. Does any member of the jury have any condition, physical or otherwise, which would make it difficult for you to serve on a jury?
18. If you are selected to sit on this case, will you be able to render a verdict solely on the evidence presented at the trial and in the context of the law as I will give it to you in my instructions, disregarding any other ideas, notions, or beliefs about the law that you may have encountered in reaching your verdict?
19. Is there any reason why you could not fully and impartially weigh the evidence in this case and render a fair verdict based on that evidence and in the context of the court's instructions to you on the law?

Respectfully submitted,

CHRISTOPHER J. WILSON  
United States Attorney

s/ Morgan Muzljakovich  
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**CERTIFICATE OF SERVICE**

I hereby certify that on December 27, 2021, I electronically transmitted the attached documents to the Clerk of Court using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Sarah Erlinder, Attorney for Defendant

s/ Morgan Muzljakovich  
MORGAN MUZLJAKOVICH  
Assistant United States Attorney